

FORTH CROSSING ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 – Roads

Section 14 – Stopping up of roads

55. Subsection (1) authorises the permanent stopping up¹ of each road as identified in **schedule 7** for the purposes of the Forth Crossing works. Without a power to stop up, existing roads would interfere with the construction and operation of the proposed scheme and provide public rights of way at inappropriate locations.
56. **Part 1 of schedule 7** provides a list of those roads to be stopped up where the Scottish Ministers have determined that they are satisfied that another reasonably convenient road exists or that no alternative road is necessary. Subsection (2) introduces **Part 2 of schedule 7** which lists those roads that are to be stopped up but which may not be stopped up until a substitute road is open for public use or an alternative is provided.
57. Where a road is closed subsection (3) allows the Scottish Ministers to use the site for the Forth Crossing works. **Section 53** provides for the payment of compensation in respect of stopping up. Subsection (4) sets out that a road can not be permanently stopped up before the Scottish Ministers have notified the public of the closure date. Subsection (5) provides for the notification procedure for the opening of a new road as described in **Part 2 of schedule 7**.

¹ “Stopping up” is a technical term for closing a road to traffic and terminating public rights of passage over it. A road may include a road, cycletrack, footway or footpath all of which have the status of a road.